

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA	]	
	]	
v.	]	Cr. No. 11-06-01-JL
	]	
BRIAN MAHONEY	]	

**ASSENTED-TO MOTION FOR STATUS OF COUNSEL HEARING**

Jeffrey S. Levin, counsel for defendant Brian Mahoney, moves the Court to schedule a status of counsel hearing at it earliest convenience. Grounds follow.

The defendant, Brian Mahoney, is charged is charged by indictment with failure to register as a sex offender, in violation of 18 U.S.C. § 2250(a). He appeared for arraignment in this Court on February 4, 2011. A bail hearing was conducted and he was ordered detained on February 8, 2011. Trial is scheduled for the two-week period beginning April 5, 2011.

The defendant has indicated his desire that present counsel withdraw from his case immediately, and his intention to represent himself in this matter *pro se*. The defendant has a right under the 6<sup>th</sup> Amendment to the U.S. Constitution to self-representation. Farretta v. California, 422 U.S. 806 (1975).

Defense counsel requests that the Court schedule a status of counsel hearing at its earliest convenience, and at such hearing engage in a colloquy with the defendant to ensure that the defendant's waiver of counsel is knowing and voluntary and that the defendant is fully aware of the hazards and disadvantages of self-representation.

The government assents to this motion for a status of counsel hearing.

No memorandum is attached as all points and authorities are contained herein.

Wherefore, defense counsel for the defendant respectfully requests that the Court grant this motion and schedule a status of counsel hearing at its earliest convenience, and that it grant such other relief as may be deemed just.

Respectfully Submitted,

/s/Jeffrey S. Levin

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#### **Certificate of Service**

I certify that on February 11, 2011, a true copy of the above document was caused to be served to the office of AUSA Arnold Huftalen by CM/ECF filing method.

/s/Jeffrey S. Levin

Jeffrey S. Levin